

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS  
FILED

DEC 21 2001

U.S. COURTS  
SOUTHERN DISTRICT  
OF TEXAS

MARK NEWBY,

Plaintiff,

v.

ENRON CORPORATION, ANDREW S.  
FASTOW, KENNETH L. LAY, and  
JEFFREY K. SKILLING,

Defendants.

C.A. No. H-01-3624

JURY TRIAL DEMANDED

Michael N. Milby, Clerk

HENRY H. STEINER, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ENRON CORP., KENNETH L. LAY,  
JEFFREY K. SKILLING, ANDREW S.  
FASTOW, and ARTHUR ANDERSEN  
LLP,

Defendants.

C.A. No. H-01-3717

JURY TRIAL DEMANDED

**THE PROPOSED PREFERRED PURCHASER LEAD PLAINTIFFS'  
MOTION FOR APPOINTMENT AS LEAD PLAINTIFFS AND APPROVAL  
OF THEIR SELECTION OF LEAD AND LOCAL COUNSEL**

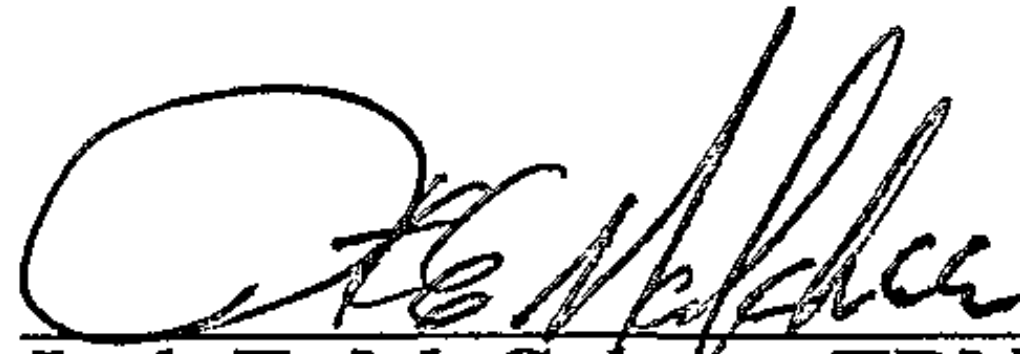
COME NOW Henry H. Steiner, Daniel Kaminer, Christine Benoit and Michael and Jennifer Cerone (the "Proposed Preferred Purchaser Lead Plaintiffs"), and move this Court, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(3)(B), for an order:

- i. appointing the Proposed Preferred Purchaser Lead Plaintiffs as Lead Plaintiffs for a class of purchasers of preferred shareholder in these actions and all related actions; and

- ii. approving the counsel selected and retained by the Proposed Preferred Purchaser Lead Plaintiffs as Plaintiffs' Lead Counsel, and Plaintiffs' Local Counsel.

In support of their motion, the Proposed Preferred Purchaser Lead Plaintiffs submit: (1) the Declaration of Jack E. McGehee, with exhibits; (2) the Declaration of Steven R. Wolfe, with exhibit; (3) a Memorandum of Law, with exhibits; and (4) a Proposed Order granting the relief requested.

Dated: December 21, 2001



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**TABLE OF CONTENTS**

INTRODUCTION .....	3
PROCEDURAL BACKGROUND .....	5
STATEMENT OF FACTS .....	6
NEGLIGENT MISREPRESENTATION CLAIM.....	11
ARGUMENT .....	11
A. THE COURT HAS THE AUTHORITY AND RESPONSIBILITY TO APPOINT A SEPARATE LEAD PLAINTIFF AND COUNSEL FOR THE PREFERRED SHAREHOLDER CLASS AT THIS STAGE OF LITIGATION .....	11
1. Intraclass Conflicts Between Classes Require Separate Representation For The Preferred Shareholder Class .....	12
a. Rule 23(a)(4) Demands Separate Representation For Classes With Conflicting Or Potentially Conflicting Claims .....	13
b. Intraclass Conflicts Between Classes Require Separate Representation For The Preferred Shareholder Class .....	13
c. Practical Litigation Conflicts Dictate Separate Lead Plaintiffs And Counsel .....	14
d. Courts Frequently Appoint Separate Lead Plaintiff And Counsel Under These Circumstances .....	16
2. The Policy Goals Of The PSLRA Are Best Served By Separate Representation Of The Preferred Stock And Common Stock Classes .....	16
B. THE PROPOSED PREFERRED PURCHASER LEAD PLAINTIFFS ARE THE MOST ADEQUATE PLAINTIFFS FOR THE PREFERRED SHAREHOLDER CLASS .....	17
1. The Proposed Preferred Purchaser Lead Plaintiffs Filed A Complaint .....	17
2. The Proposed Preferred Purchaser Lead Plaintiffs Have the Largest Financial Interest In The Relief Sought By The Class .....	17
3. The Proposed Preferred Purchaser Lead Plaintiffs Otherwise Satisfy The Requirements of Rule 23 of..... The Federal Rules of Civil Procedure	18
a. The Proposed Preferred Purchaser Lead Plaintiffs Fulfill The Typicality Requirements .....	19

b. The Proposed Preferred Purchaser Lead Plaintiffs  
     Fulfill The Adequacy Requirement ..... 20

C. THE COURT SHOULD APPROVE THE PROPOSED PREFERRED  
     PURCHASER LEAD PLAINTIFFS' CHOICE OF COUNSEL ..... 20

CONCLUSION ..... 21